

UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

\* \* \*

JULIO CESAR NAVAS.

**Plaintiff.**

Case No. 3:19-cv-00249-MMD-WGC

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JEROM M. POLAHA, *et al.*

## Defendants.

## ORDER

11 Plaintiff, who is in the custody of the Nevada Department of Corrections, filed a pro  
12 se complaint but did not complete an application to proceed *in forma pauperis* ("IFP  
13 Application") or pay the filing fee. (ECF No. 1-1.) On July 19, 2020, the Court directed  
14 Plaintiff to either complete an IFP Application or pay the filing fee within 30 days. (ECF  
15 No. 3.) The Court further cautioned Plaintiff that failure to comply may result in dismissal  
16 of his action. (*Id.* at 2.) To date, Plaintiff has not complied. Accordingly, United States  
17 Magistrate Judge William C. Cobb recommends that the Court dismiss this action without  
18 prejudice. (ECF No. 4.) Plaintiff had until May 1, 2020 to file an objection. (*Id.*) Again,  
19 Plaintiff has not responded or otherwise objected. The Court finds that Judge Cobb is  
20 correct in recommending dismissal for Plaintiff's failure to comply with the Court's order to  
21 either complete an IFP Application or pay the filing fee. Accordingly, the Court adopts  
22 Judge Cobb's recommendation.

23 It is therefore ordered that Judge Cobb's Report and Recommendation (ECF No.  
24 4) is adopted.

25 It is further ordered that this action is dismissed without prejudice.

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1 The Clerk of Court is directed to close this case.  
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3 DATED THIS 5<sup>th</sup> day of May 2020.  
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5 MIRANDA M. DU  
6 CHIEF UNITED STATES DISTRICT JUDGE  
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